IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

Bail Appl..No. 1888 of 2007()

CRIME NO.22/07 OF ANCHUTHENGU POLICE STATION

: PETITIONER/ACCUSED NO.3

MAIKKILE ANICLUZ, S/O. ANICLUZ,
PUTHUVAL PURAYIDAM VEEDU, NEAR ANJENGO FORT,
ANJENGO DESOM, KADAKKAVOOR VILLAGE.

BY ADV. SRI.JAISON JOSEPH

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
ANJENGO POLICE STATION.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1888 OF 2007

Dated this the 27th day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the 3rd accused in Crime No.22/07 of Anchuthengu Police Station for offences punishable under Secs.306 and 294(b) read with section 34 I.P.C., seeks his enlargement on bail.

2. The case of the prosecution is that 22 year old Suma Olivar, who was the neighbour of accused Nos.1 and 2, committed suicide pursuant to accused Nos.1 and 2 outraging the modesty of her mother and accused Nos.1 and 2 abusing Suma Olivar in filthy language. The petitioner is also alleged to have joined accused Nos.1 and 2 in abusing the deceased in filthy language.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Varkala and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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